

REMARKS

The above amendments and these remarks are responsive to the Office action dated July 12, 2004. Claims 1-10 are pending in the application. In the Office action, claim 10 was rejected under 35 U.S.C. § 112, claims 1, 2, and 8 were rejected under 35 U.S.C. §102(b) based on U.S. Pat. No. to 5,450,835 to Wagner, claims 1, 2, and 8 were rejected under 35 U.S.C. §102(e) based on U.S. Pat. No. 6,591,820 to Kitano, claims 9 and 10 were rejected under 35 U.S.C. §103(a) based on a combination of Wagner or Kitano and U.S. Pat. No. 6,152,119 to Hoshiba, and claims 3-7 were indicated as allowable. Applicant thanks the Examiner for the indications of allowability. Applicant traverses the rejections, but nevertheless amends the claims as shown above, and submits the following remarks. In view of the amendments above, and the remarks below, applicants respectfully request reconsideration of the application under 37 C.F.R. § 1.111 and allowance of the pending claims.

Claims 1-2

Claims 1 and 2 are cancelled without prejudice.

Claim 3

Claim 3 has been rewritten in independent form, therefore applicants believe this claim is allowable.

Claims 4-5

Claims 4 and 5 are unchanged. These claims depend from claim 3, and are therefore believed allowable.

Claim 6

Claim 6 has been rewritten in independent form, therefore applicants believe this claim is allowable.

Claim 7

Claim 7 is unchanged. This claim depends from claim 3, and therefore is believed allowable.

Claims 8-9

Claims 8 and 9 have been amended to depend from claim 3, and therefore are believed allowable.

Claim 10

Claim 10 has been amended to clarify features such as the construction of the body, the placement of the engine body, the connection between the oil separator and the engine body, and placement of the oil separator with respect to the engine body. The structural features recited in claim 10 are not disclosed or suggested by the combination of Wagner and Hoshiba, nor Kitano and Hoshiba, nor any other combination of the references of record.

With regard to Hoshiba, this reference appears to disclose an oil separator 118 and an air intake silencer 62, which are placed forward and rearward relative to the crankshaft in the longitudinal direction (front-rear direction) of a vessel body to which the engine of Hoshiba is mounted, and are connected to each other through a pipe (126), as shown in annotated Fig. 5 below. The upper-lower axis of the oil separator 118 (dashed at left) is parallel with a central axis of the crankshaft (dashed at right). Hoshiba does not disclose

an oil pan below the engine, nor a pipe connecting the oil separator to such an oil pan. Further, as shown in annotated Fig. 2 below, the pipe connecting the oil separator and the air intake silencer is connected to the air intake silencer at a location that is laterally adjacent the center axis of the crankshaft, not laterally remote from the center axis.

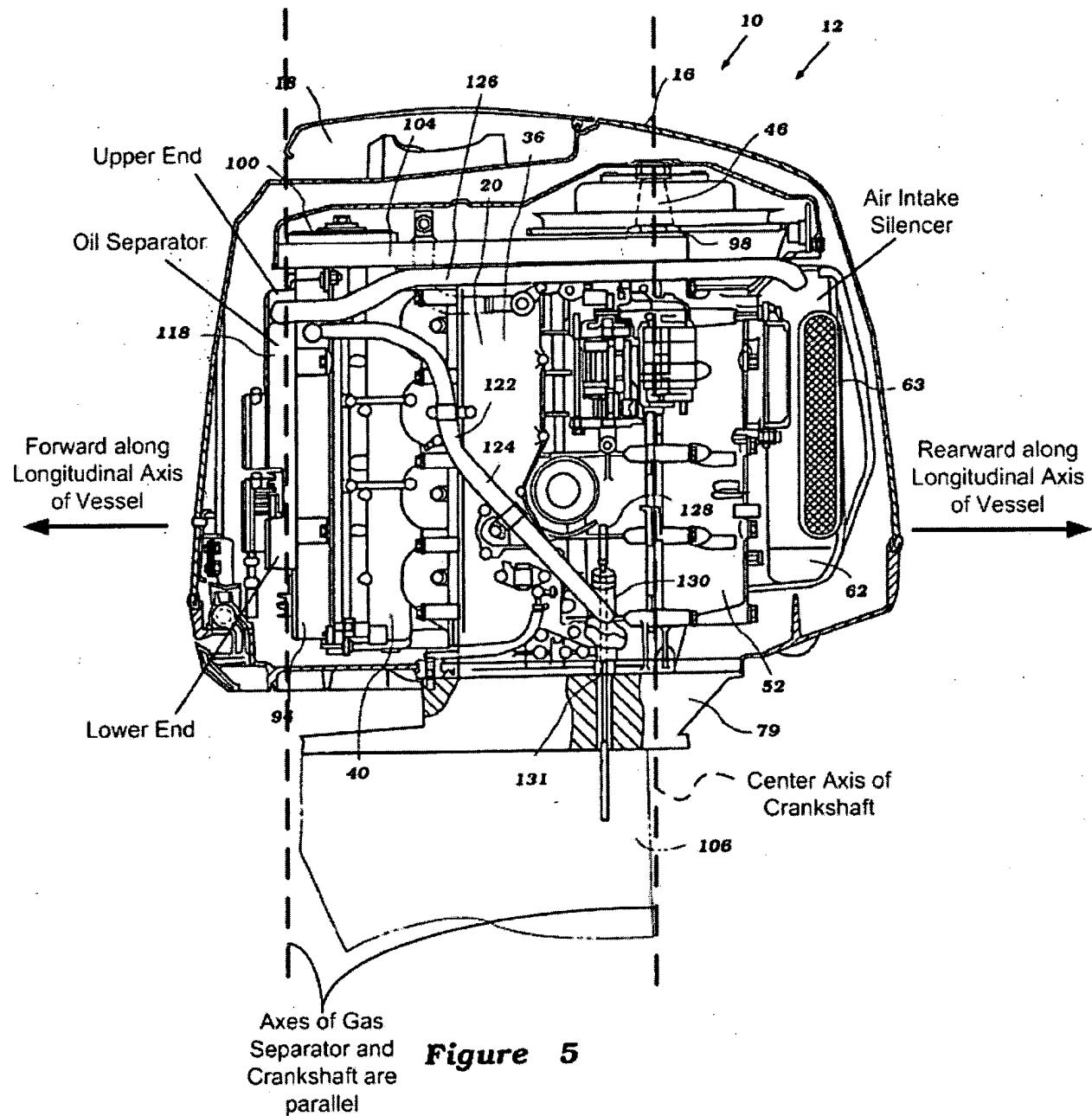


Figure 5

Hoshiba - Annotated Fig. 5

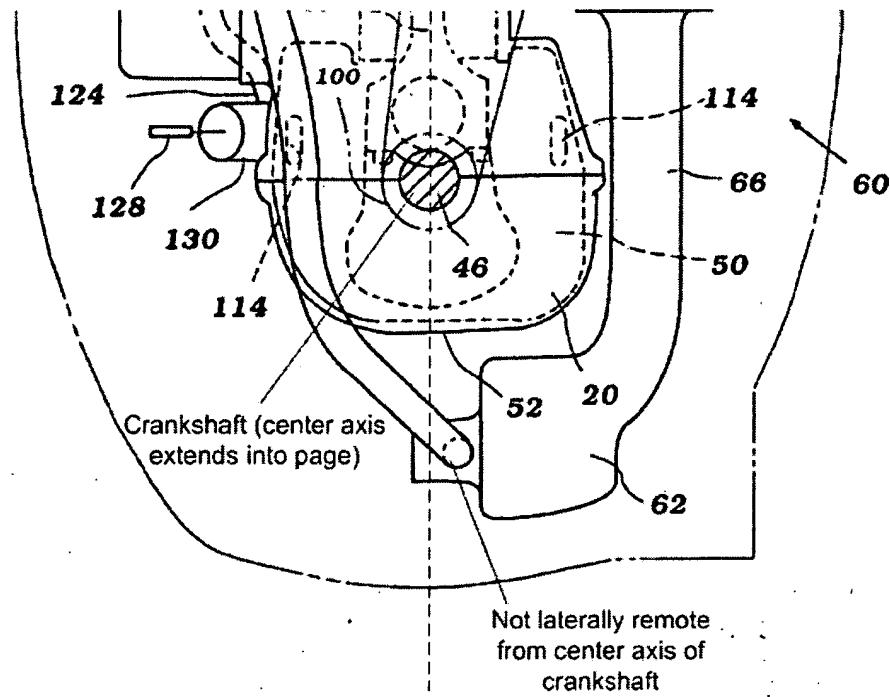


Figure 2

Hoshiba – Annotated Fig. 2

In contrast to the configuration disclosed in Hoshiba, amended claim 10 recites that “the engine body [is] mounted such that the crankshaft extends along a longitudinal direction of the body,” that “an oil discharge pipe [is] configured to connect a lower portion of the oil separator to the oil pan of the engine,” that “the oil separator is located on one of right and left sides of the crankshaft and includes an upper end portion from which blow-by gas is discharged and a lower end portion from which oil is discharged, the upper and lower end portions being situated along a substantially vertical axis that is perpendicular to a center axis of the crankshaft,” that “part of the air-intake system is located on an opposite side of the crankshaft from the oil separator, such that the center axis of the crankshaft is located laterally intermediate the oil separator and the part of the air-intake system,” and that “the blow-by gas discharge pipe [is] coupled to the oil

separator and to the part of the air-intake system at respective locations that are laterally remote from the center axis of the crankshaft."

One example of such a configuration is shown in Fig. 7, reproduced in annotated form below. In Fig. 7, a center axis of the crankshaft extends into the page, along a longitudinal direction of the watercraft. The oil separator is mounted on the left side of the center axis of the crankshaft, and the air cleaner box is mounted on the right side of the center axis of the crankshaft, such that the crankshaft is laterally intermediate the two. A blow-by discharge pipe extends between the oil separator and the air cleaner, and is connected to each at a location that is laterally remote from the center axis of the crankshaft.

The oil separator includes an upper end portion and lower end portion situated along a substantially vertical axis that is perpendicular to the center axis of the crankshaft. An oil pan is shown situated below the engine, to which the lower portion of the oil separator is connected by an oil discharge pipe. Fig. 3, also reproduced below in annotated form, more clearly illustrates that the center axis of the crankshaft extends along a longitudinal direction of the watercraft.

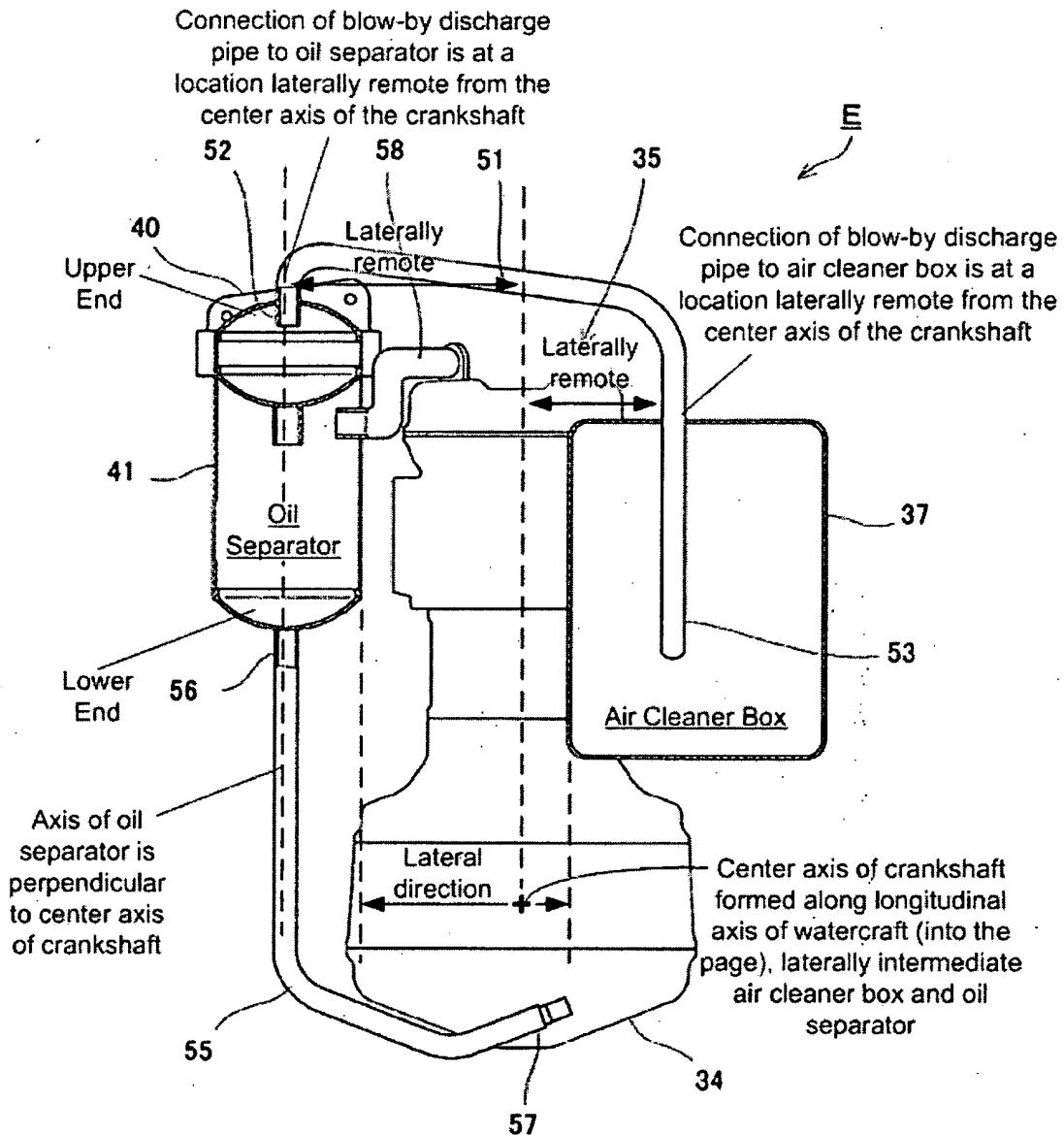
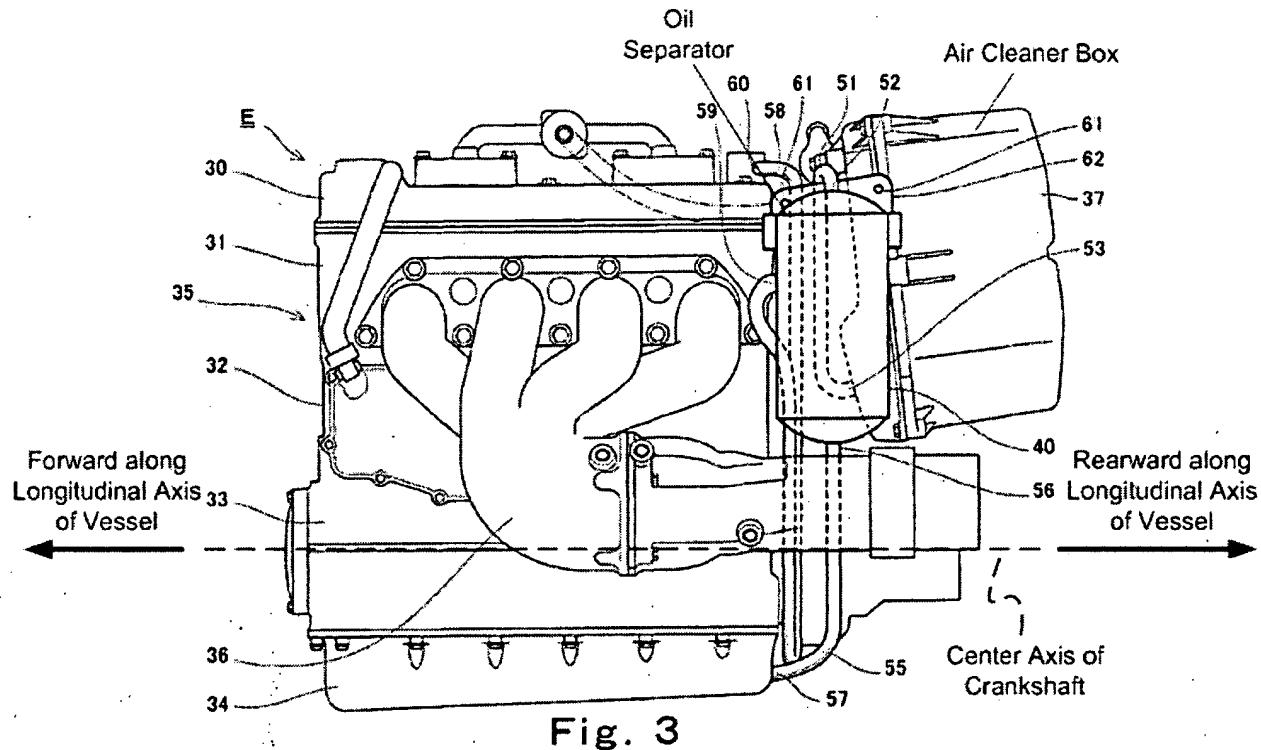


Fig. 7

Annotated Fig. 7 of Subject Application



Annotated Fig. 3 of Subject Application

As described in the specification at Paragraph 0072, the above described configuration of elements recited in amended claim 10 provides one potential advantage that when the watercraft is inclined to the right side, oil in the oil pan may be inhibited from flowing into the oil chamber through the oil discharge pipe, and thus inhibited from flowing from the oil pan into the part of the air-intake through the oil separator. In addition, when the watercraft is inclined to the left, oil is inhibited from flowing from the oil chamber into the part of the air-intake through the blow-by gas discharge pipe.

In view of the above, applicants respectfully submit that neither of the cited combination of references discloses or suggests each of the elements recited in amended claim 10. Applicants also submit that claim 10, as amended, is clear and definite and

satisfies the requirements of 35 U.S.C. § 112. Thus, applicants submit that claim 10 is allowable.

Claims 11-13

New claims 11-13 have been added, which depend from claim 10. Claim 11 recites that the air cleaner is the part of the air-intake system that is recited in claim 10 as being located on the opposite side of the crankshaft from the oil separator. Claim 12 recites the connection between the oil separator and the pipes. Claim 13 recites an internal structure of the oil separator and the connection of the pipes. These claims also are believed to be allowable.

Claim 14

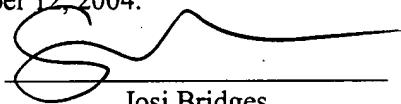
New claim 14 has been added, which recites the location of the oil separator and air-intake component relative to the oil pan of the engine. This configuration has the potential advantage recited above that oil is inhibited from undesirably flowing from the oil pan through the oil separator and into the air-intake component during left-right pivoting of the watercraft. This claim is also believed to be allowable.

Applicants believe that this application is now in condition for allowance, in view of the above amendments and remarks. Accordingly, applicants respectfully request that the Examiner issue a Notice of Allowability covering the pending claims. If the Examiner

has any questions, or if a telephone interview would in any way advance prosecution of the application, please contact the undersigned attorney of record.

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, to: Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on November 12, 2004.



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Respectfully submitted,

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